

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

COUY GRIFFIN,

Plaintiff,

v.

Civ. No. 22-0362 KG/GJF

MARCO WHITE, MARK MITCHELL,  
and LESLIE LAKIND, *acting under color of*  
*New Mexico law*,

Defendants.

ORDER DENYING MOTION TO MODIFY HEARING DATE

The Court set Plaintiff's Motion for Preliminary Injunction (Doc. 20) for an in-person hearing on June 30, 2022. (Doc. 29). Defendants subsequently filed a Motion to Modify Hearing Date on the basis that Mr. Nikhel Sus, who will be arguing the Motion for Defendants, has a previously scheduled vacation. (Doc. 31). Defendants, therefore, request that the Court reset the hearing to the week of June 21, in three business days, or the week of July 5. *Id.* Defendants' Motion is denied for the following reasons.

First, the Court is unavailable during these alternatively requested periods.

Second, the Court understands the collateral state court action, *White v. Griffin*, Case No. D-101-CV-2022-00473, now pending in New Mexico's First Judicial District, has deadlines that begin on July 5, 2022. *See White v. Griffin*, Case No. D-101-CV-2022-00473, Scheduling Order filed June 14, 2022. Specifically, Mr. Griffin must file any demurrer (or motion to dismiss) to the *Quo Warranto* Action by July 5, 2022, and the state district judge will issue an order on the demurrer by July 15, 2022. *Id.* After July 5, 2022, the deadlines in that case run quickly.

While the Court is sympathetic to previously planned vacations, it is in the interest of justice to hear Plaintiff's Motion for Preliminary Injunction at the earliest opportunity on the Court's calendar, which is June 30, 2022.

For these reasons, Defendants' Motion to Modify Hearing is denied. The hearing will proceed as scheduled.

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE